vss

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

WRIT PETITION NO.4110 OF 2005

Shir Umesh Shrikant Shetye & anr. ... Petitioners

V/s.

Shri Prabhakar V. Patil & Ors. ... Respondents

Mr.S.B. Shetye for Petitioners
Mr.S.M. Oak for Respondents

CORAM: **SMT.NISHITA MHATRE, J.**

DATED: **AUGUST 24, 2005**

P.C.:

. This Petition has been become infructuous in view of the fact that the decree has already been executed and the respondents are in possession of the suit premises. A contention is raised by the Petitioners that the direction of the appellate Court to deposit the arrears of rent @ Rs.2,000/- per month from the date of inception of the suit on or before 6.6.2005 is in excess of what the trial Court has ordered.

2. Liberty to the Petitioner to move an appropriate application in the Appeal. All contentions raised in the Petition are kept open.

3. Petition is disposed off accordingly.